

REMARKS

As a consequence of this amendment, claims 1-25 are now in the application. Claims 1-18 and 23 stand allowed and claims 19-22 stand rejected. Claims 24 and 25 are new.

In the Official Action issued 09/28/2005, the Examiner objected to the specification because of an informality on page 6, line 2, namely the need to change the numeral "16" to -- 22 --. That correction has been made as shown in the section entitled "Amendment To The Specification".

Claims 3 and 12 were objected to because of certain informalities. Those informalities have been corrected as shown in the section entitled "Amendments To The Claims".

Applicant respectfully requests reconsideration of the rejection of claims 19-21 under 35 USC 102(b) as being anticipated by Stand et al. and the further rejection of claim 22 under 35 USC 103(a) as being unpatentable over Stand et al. in view of McDermott et al., in view of the amendment made to claims 19 and 20.

Claim 19 has been amended so as to specify that the metering means is rotatable and is provided with manually operable means for rotating the metering means. Claim 20 has been amended so as to specify that the manually operable piston means is disposed in the body at the second end thereof.

The device disclosed by Stand et al. serves the same purpose as Applicant's, but has a completely different design. The metering means of Stand et al. is not a rotatable member and the Stand et al. device is not provided with means for rotating the metering means. Stand et al. also lack a piston at one end of the body for expelling the liquid ophthalmic product.

In addition, it should be noted that claim 19 specifically requires that the holding chamber in the body be displaced 90° from the interior opening that communicates with a bottle that is mounted in the first end of the body

of the device. The holding chamber 36 of Stand et al. is coaxial with the interior opening (98, 104) of Stand et al.

In view of the foregoing differences, Applicant respectfully submits that claims 19-21 are neither anticipated nor rendered obvious by Stand et al.

Claim 22 depends from claim 20 and adds the further limitation that the discharge orifice be sized so that the surface tension of the liquid ophthalmic product prevents it from leaking out of the holding chamber. While McDermott et al. do talk about having a liquid dispensing orifice sufficiently small to avoid leakage through the orifice due to surface tension, Applicant submits that other than that teaching, McDermott et al. lend nothing that makes up for the deficiencies of Stand et al. with respect to anticipating or rendering obvious the invention defined by claim 22.

New claims 24 and 25 depend from claim 23 and 19 respectively. They are believed to be allowable because they depend from allowable claims and also because they add new limitations that further distinguish from the prior art of record.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this amendment places the application in condition for allowance. Accordingly, prompt and favorable reconsideration is solicited.

Respectfully submitted,



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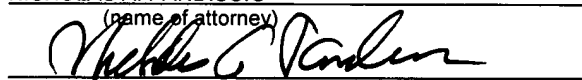
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15 December 2005